

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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HECTOR MELENDEZ, *on behalf of himself and*  
*all others similarly situated,*

Plaintiff,

-against-

COSAN CONSTRUCTION CORP. et al.,

Defendants.  
-----X

21-CV-07426 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff filed this lawsuit on September 3, 2021, *see* Dkt. 1;

WHEREAS Plaintiff filed affidavits reflecting timely service of a summons and the Complaint on Defendants, *see* Dkts. 9–11;

WHEREAS Defendants Cosan Construction Corp., Cosan New York Inc., and Terence Ferguson have failed to appear, answer, or otherwise respond to the Complaint within 21 days of service, *see* Fed. R. Civ. P. 12(a)(1); and

WHEREAS the Clerk of Court issued certificates of default as to all three Defendants on October 18, 2021, *see* Dkt. 14;

IT IS HEREBY ORDERED that Plaintiff must apply for a default judgment against Defendants, consistent with the procedures described in Attachment A to the undersigned's Individual Practices by **November 22, 2021**, or the case will be dismissed for failure to prosecute.

**SO ORDERED.**

**Date: November 8, 2021**  
**New York, NY**



**VALERIE CAPRONI**  
**United States District Judge**